



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2503500

Applicant Name: Troy Smith

Address of Proposal: 12744 42nd Avenue NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels in an Environmentally Critical Area. Proposed lot sizes are: A) 15,343 sq. ft. and B) 9,993 sq. ft.*. Existing single family house to remain.

* The survey shows lots as 14,854 and 10,481 feet, respectively.

The following approvals are required:

Short Subdivision - to divide one parcels of land into two parcels.
(Seattle Municipal Code (SMC) Chapter 23.24)

SEPA – Environmental Determination – Review of development proposals in areas mapped as Environmentally Critical Areas, Chapter 25.05, Seattle Municipal Code.

ECA Conditional Use – to recover development credit and permit clustered development.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: SF 9600/UR shoreline environment

Date of Site Visit: N/A

Uses on Site: One single-family structure.

Site and Vicinity Descriptions: The project site is the second south of NE 130th Street on the east side of 42nd Avenue NE. It runs through from 42nd to the Burke Gilman trail, which abuts downhill to the east. Total site area is 25,336 square feet, large portions of which meet the criteria for steep slope designation, and almost all of which is designated as potential slide environmentally critical area. The steep slopes are located towards the Burke-Gilman trail and also toward 42nd Avenue NE. The DPD site inspector notes indicate that a number of trees have been recently cut. However, a total of 4 trees were removed in the ECA in 2005 and the case was resolved for voluntary compliance on 8/8/06. See Case #1005287

The properties along 42nd Avenue NE in the vicinity are all developed with what appear to be single family residences. The adjacent street is appears to be at most 20 feet in width, and lacks typical improvements.

Proposal

The proposal is to short subdivide the lot into two, basically split north-to-south, with the existing house to remain. Existing access would largely remain, but be reconfigured slightly to move it out of the steep slope ECA. Access for both lots would be taken from 42nd Avenue NE. A concept building envelope for a new residential structure has been shown on the plans. Approval of this short plat does not extend to approval of the particular envelope shown; it merely represents the fact that a reasonably-sized and configured structure comporting with current requirements can be built on the proposed new site.

Public Comments

Seven comment letters were received, expressing concerns about slope stability, drainage, reduction of open space, loss of large trees, potential gerrymandering of the proposed lot lines, adequacy of provision for future setbacks, and excess density. Parks Department expressed concern about potential adverse impacts on the Burke-Gilman trail.

Environmentally Critical Areas Regulations

Seattle Municipal Code (SMC) Sections 25.09.040 and 25.09.060 establish standards that apply to all development within designated Environmentally Critical Areas, which includes submittal requirements for verifying the location of all such areas. SMC Section 25.09.180 provides specific standards for all development on steep slopes and steep slope buffers on existing lots, including the general requirement that development shall be avoided in steep slope areas whenever possible and, if avoidance of development in the steep slope areas is not practicable, then a standard applies limiting grading, developmental activity, and other land disturbing activity to a maximum of 30% of the area measured as steep slopes of 40% or greater. All

decisions subject to these standards are non-appealable Type I decisions made by the Director (or designee) of DPD. Conditions imposed as a means of compliance with the ECA ordinance general requirements and standards described in Section 25.09.060 (include the recording of conditions of approval and of the identified ECA areas in a permanent covenant with the property, as well as specific construction methods and procedures) are non-appealable.

SMC Section 25.09.260 provides a process for DPD to authorize the recovery of development credit in a single-family zone through an administrative conditional use review. The Director may approve, condition, or deny an application based upon a determination of whether the proposed recovery of development credit on the site meets the applicable criteria. Section 25.09.260 further allows clustering of structures where reductions in yards or lot sizes will accommodate recovery of development credit, encourage larger buffers, reduce impervious surfaces, and decrease the size of areas affected by development. An ECA Conditional Use decision is a Type II decision, subject to the provisions of SMC 23.76, and is appealable to the City Hearing Examiner. As proposed, the proposed plat and implied land disturbing activity (development of a second house) could comply with the standard in SMC Section 25.09.180 A 3, which limits grading and other land disturbing activity to no more than 30% of the areas measured over 40% slope. The concept envelope shown a general area where such development might be approvable; no particular envelope or structure has been reviewed, nor does approval of the plat or the ECA ACU convey approval of any particular envelope or structure.

The Critical Areas Policies for steep slopes clearly indicate that the ECA Conditional Use is intended to allow recovery of development credit in steep slope areas where no alternative is available to avoid development of the steep slope, provided that the development standards for steep slopes set forth in Section 25.09.180 are met. The policies provide in part, at page 48:

“Although the basic provisions of these policies are geared to keeping development off of steep slopes, in some cases such development will be unavoidable: on existing lots where avoidance is not possible. . . or in new subdivision or short plats where development on steep slopes is permitted through the conditional use permit process. . . . In such cases, grading and other site disturbances, such as vegetation removal, on areas over 40% shall be minimized and in no case shall exceed 30% of the steep slope area.”

In this case, the survey submitted by the applicant shows that approximately 6624 square feet of Parcel B is not within the steep slope critical area or its required buffer. Again, it is certainly possible to build a reasonable single family residence within such area, though no specific area or structure for such construction is contemplated or approved by this decision.

Despite the lack of sufficient area outside the steep slope ECA and its critical area to meet minimum zone requirements, the proposal minimizes development in the steep slope critical area. The Critical Areas Policies for steep slopes specifically indicate that the ECA Conditional Use was intended to allow recovery of development credit in steep slope areas, where the development standards of either Section 25.09.180.A.1 or 25.09.180.A.3 are met.

**ANALYSIS - ECA CONDITIONAL USE TO RECOVER DEVELOPMENT CREDIT
AND PERMIT CLUSTERED DEVELOPMENT**

Section 23.42.042 of the Seattle Land Use Code authorizes review of conditional use permits according to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. Section 25.09.260 of the ECA ordinance sets forth the review criteria for Administrative Conditional Use Permits [ACU] to recover development credit and permit clustered development in single-family zones. Applicable review criteria and supporting analysis follows:

- A. Up to full development credit on-site (determined by calculating the maximum number of lots allowed based on the underlying single-family zoning and size of the originating property) may be granted by the Director through an administrative conditional use permit, authorized under SMC Section 23.42.042, Conditional uses, in the Land Use Code.

The minimum lot size in this zone is 9,600 square feet. Parcel B has approximately 10,481 square feet of area (inclusive of the steep slope area and its buffer). Although the total area of Parcel B is sufficient for one lot, when the critical area and buffer are subtracted from the total lot area in calculating development credit, as required by SMC Section 25.09.240 D, only 6624 square feet of non-critical lot area remains, which is somewhat less than the 9,600 square feet of lot area required (one house per lot). Thus, existing Parcel B does not meet the development standards for a short subdivision contained in SMC Section 25.09.240. However, the conditional use provisions of Section 25.09.260, which incorporate the critical areas policies, allow recovery of development credit and reduction of yards and lot sizes through clustering as an alternative to strict application of Section 25.09.240 D. The applicant has therefore applied for an ECA administrative conditional use to both “recover” sufficient development credit to allow construction of a new house.

SMC Section 25.09.260 A allows recovery of development credit on a parcel of property provided that the criteria in that section are met.

Discussion of the criteria in subsection E (1-9) is followed by analysis of the clustering provisions of subsections F, G and H, and then by analysis of the general conditional use criteria of subsections B and C. Subsection D requires that DPD issue written findings of fact and conclusions to support its decision.

- E. The Director may approve the transfer of development credit if it can be shown that the development would meet the following conditions and findings:
 - 1. *The transfer of development credit shall not result in any significant increase of negative environmental impacts, including erosion, on the identified ECA and its buffer;*

As noted above, Section 25.09.180 A requires that development be avoided on steep slopes “whenever possible.” This criterion can be met, not only on Parcel B, but by reconfiguration of access across Parcel A so that the additional vehicular circulation does not impact the steep slope.

Parcel B is currently covered with vegetation, including a number of trees, the largest of which are cottonwoods. Any proposed development would likely remove some trees, including the 65-inch diameter cottonwood immediately to the west of the concept building envelope. Cutting of this tree would probably be a good idea, for safety reasons. Three large trees would also likely need to be removed from the access area to the new parcel; none or exceptional, or within the steep slope ECA or its buffer. Removal of these trees is warranted. More than 50% of Parcel B will remain undeveloped, which will preserve many stands of trees within the steep slope steep slope buffer areas. The trees proposed to be removed are all in the area of Parcel B most suited for development. Revegetation will be required as a condition of approval of the future development proposal.

The proposal, conditioned according to this decision, will meet the first criterion for conditional use approval.

2. *The development shall be reasonably compatible with neighborhood characteristics. This shall include but not be limited to concerns such as height, bulk, scale, yards, pedestrian environment, and amount of vegetation remaining;*

Many of the comparably-sized lots in the vicinity of the subject parcel have already been short-platted in a similar fashion. There would be nothing unusual about the proposed plat or development likely to be constructed upon it. The new houses will share one driveway with one curbcut, just as there would be for one house. No significant increase in traffic will occur from two new houses within a cluster development with one shared driveway. The second criterion is met.

3. *In no case shall development credit be allowed for the area covered by an open water area of a wetland or riparian corridor.*

No development is proposed for an area covered by open water of a wetland or riparian corridor, so this criterion is met.

4. *The development shall retain and protect vegetation on designated undisturbed areas on and off site. Significant species or stands of trees shall be protected, and tree removal shall be minimized. Replacement and establishment of trees and vegetation shall be required where it is not possible to save trees.*

The concept development envelope does not include any portion of the steep slope ECA or its buffer. Only a small number of trees need be removed, at least two of them potentially hazardous large cottonwoods. No significant trees will be removed or damaged as a result of the development. Removal of trees will be mitigated by appropriate revegetation and landscaping within the construction area for the house, when proposed. Buffer areas that are not proposed for disturbance, as well as the steep slope areas on the site not proposed to be disturbed, will be protected by a temporary construction fence.

The parent lot contains trees of various varieties and sizes. The pre-application site inspection, and follow-up inspection by the City arborist, identified and confirmed that several trees located in the ECAs have been cut. Cut trees could have possibly qualified as *Exceptional* due to their size and variety. To rectify this unpermitted action, a revegetation plan shall be prepared by a

qualified professional that shows, on a site plan, the location, size and species of the trees that have been cut, and propose an acceptable revegetation plan to restore and/or replace lost habitat values.

With conditions attached to this decision including placement of fencing and permanent ECA markers, and a revegetation plan to address unpermitted tree removal, the fourth criterion is satisfied by the proposal.

5. *The ability of natural drainage systems to control the quality and quantity of stormwater runoff shall not be significantly impaired.*

New development on the site will not be permitted to drain downhill onto Parks property. New development will likely require detention, and the water detained will likely need to be pumped uphill to an approved discharge point. A sidesewer easement “along the line as constructed” should be provided to the benefit of Proposed Parcel A where this utility crosses through proposed Parcel B.

6. *The development shall not adversely affect water quality and quantity, erosion potential, drainage, and slope stability of other ECAs located in the same drainage basin.*

The short plat almost necessarily implies development of a single family residence on the newly-created site. Such proposal will be evaluated at the time of application; meanwhile, it may be assumed that the proposal would be required to comply with all applicable codes and ordinances, which would ensure that the development meet this criterion.

The applicant’s geotech report, which does not extend to construction of a new residence, was reviewed by DPD’s geotechnical engineer who concurred with its findings and recommendations.

7. *The development’s site plan shall include measures to minimize potential negative effects of the development on the undeveloped portion of the site, including provision of natural barriers.*

The proposed development, at the building permit stage, is subject to the following ECA requirements: dry season grading; the preparation of a detailed construction schedule; approved temporary and permanent erosion control plans; a comprehensive drainage control plan or alternative as determined by DPD plan review at the time of a building permit application; ECA covenants; bonds; insurance; a non-disturbance fence; adherence to geotechnical recommendations for development, and a pre-construction meeting.

The vegetated steep slope itself provides a significant natural barrier to intrusion into the non-disturbance area outlined on the applicant’s site plan. The area is not practical for use as a yard or garden, and the houses can be designed so that no direct access is provided to the steep slope non-disturbance areas from the houses. This will be a condition of project approval. The seventh criterion will therefore be met.

8. *Adequate infrastructure (streets and utilities) shall be available or will be provided; and*

Adequate infrastructure of streets and utilities are presently available. 42nd Avenue Northeast is a City street improved with paved roadway and a full complement of utilities. The eighth criterion is met.

9. *The Site Design Guidelines of Section 25.09.180C shall be followed for designated steep slope areas.*

Section 25.09.180 C 1 states that “Structures should be designed and placed on the hillside to minimize negative impacts, such as grading and land disturbing activity.” The proposal demonstrates that grading and other land disturbing activity can be outside the steep slope area and its required buffer. In addition, the proposed driveway is to be shared by two houses. Access is through existing street right-of-way that minimizes impacts to the steep slope critical areas. By concentrating new development in the non-critical portions of the subject property, the steep slope and much of the 5-foot buffer will be protected from grading, land disturbing activity, and terracing. Thus, the ninth criterion is met.

- F. *The Director may approve more than one (1) dwelling unit per lot and may approve smaller than required lot sizes and yards to accommodate recovery of development credit, and to encourage larger buffers, reduce impermeable surfaces, and decrease size of affected area. Full development credit on-site shall not be increased beyond that permitted by the underlying single-family zone.*

SMC Section 25.09.260.F authorizes the Director to approve up to the number of units that would be permissible under the underlying zone. In this case, the subject property can generously accommodate 2 houses; only 2 are proposed, the new one outside all ECAs and their buffers. All other development standards of the Land Use Code can be met for the new proposed house. The proposal to construct one new house does not increase development credit on the site beyond what is permitted by the underlying zoning.

- G. The Director may require that structures be located on the site in order to preserve or enhance topographical conditions, adjacent uses and the layout of the project and to maintain a compatible scale and design with the surrounding community. In order to approve clustered dwelling units in all environmentally critical areas, the following criteria shall be met:

1. *Clustering of units shall help to protect the following critical areas: riparian corridors, wetlands and steep slopes;*
2. *Clustering of units shall require siting of structures to minimize disturbance of the environment;*
3. *Clustering of units shall help to protect priority species or stands of mature trees;*
4. *Clustering of units shall ensure maximum retention of topographic features;*

5. *Clustering of units shall limit location of access and circulation to maximize the protection of an area's natural character and environmental resource;*
6. *Clustering of units shall help protect the visual continuity of natural greenery, tree canopy, and wildlife habitat;*
7. *Clustering of units shall not have an adverse impact on the character, design and scale of the surrounding neighborhood; and*
8. *Clustering of units shall promote expansion, restoration or enhancement of a riparian corridor and its buffer, a wetland and its buffer or a steep-slope area and its buffer*

Most of the clustering criteria have been discussed in the analysis of the recovery of development credit. The subject cluster will minimize disturbance to the steep slope area on the site, consistent with the standards of SMC Section 25.09.180 A 3 by concentrating all proposed new developmental coverage within the non-critical portions of the newly created property. Access and circulation to the proposed structures will be from a presently dedicated street right-of-way through one driveway and curbcut that will be shared by both houses. The addition of impervious surface to the property is well within the coverage limits of the Critical Areas Regulations and the Land Use Code. Thus, the development as proposed will not affect the area's natural character and environmental resources.

The proposal will preserve most existing vegetation and trees on the site. With the necessity for a revegetation plan in concert with re-development of the site, and establishment of non-disturbance areas on the site, the proposal suitably protects the visual continuity of existing natural greenery, tree canopy, and wildlife habitat. The proposed house and lot sizes are of comparable size and footprint to many other houses in the immediate neighborhood, and will therefore not have an adverse impact on neighborhood character, design or scale. The location of proposed development on Parcel B represents the best area for construction with minimal disturbance of the steep slope critical areas and buffers, while also minimizing grading and other land disturbing activity.

H. Additional Conditional Use Provisions for Steep Slopes and Steep-slope Buffers.

1. *In steep-slope areas and their buffers, the Director may allow clustering on the steep-slope portions of the site when the site is predominantly characterized by steep slopes. However, the preference shall be to cluster away from steep-slope and buffer areas.*
2. *The Director shall require clear and convincing evidence that the clustering criteria and findings of this subchapter are met when a transfer in development credit within a steep-slope area is also characterized by or adjacent to:*
 - a. *A wetland over fifteen hundred (1,500) square feet in size, or a stream or creek designated as a riparian corridor; or*
 - b. *A large (over five (5) acres) undeveloped steep-slope system; or*
 - c. *Areas designated by the Washington Department of Wildlife as urban natural open space habitat areas or areas with significant tree cover providing valuable wildlife habitat.*

Criterion 1 does not apply, because no development is proposed on the steep-slope portions of the sites. Criterion H.2 (a-c) is not applicable, since none of the features described are present on or adjacent to Lots 11 and 12.

- B. The Director may approve, condition or deny an application for an administrative conditional use. The Director's decision shall be based on a determination of whether the proposed transfer of development credit within the site meets the criteria for allowing the specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

As discussed above, the proposed transfer of development credit and clustering within the site meets the conditional use criteria for approval. As proposed, and subject to the conditions of approval of this decision, the development would not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which Parcel B is located.

- C. In authorizing an administrative conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.

Conditions have been included to mitigate potential adverse negative impacts. These conditions are set forth following the SEPA analysis below.

DECISION – ECA Administrative Conditional Use

The proposal to recover development credit is **CONDITIONALLY GRANTED.**

CONDITIONS – ECA Administrative Conditional Use (following SEPA conditions below)

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The lots created by the proposed short subdivision will conform to all applicable development standards of the SF 9600 zone and for lots containing *Environmentally Critical Areas – Steep Slopes and New Potential Slide Areas* (see analysis of Criteria #5 below, *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivision and Subdivisions in Environmentally Critical Areas*). Each lot contains well over the minimum of 9600 sf. The lot configurations provide adequate buildable area to meet applicable yard and lot coverage

requirements and other land use code development standards. Each lot has vehicular access to that site from a City street. Any new development will be reviewed for and must conform to land use code requirements at the time of application.

2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

The existing lot contains one house accessed by one curb cut. The same cut will serve proposed Parcel B. Each of the proposed lots will have adequate access for vehicles, utilities, and fire protection from 42nd Avenue NE.

This proposal has been reviewed and conditionally approved by the Fire Department for emergency vehicle and personnel access. All conditions set by the Fire Department must be satisfied prior to issuance of any building permit on Parcel B.

Seattle City Light, which provides electrical service to the subject property, has approved this proposal subject to recording the required easement across proposed Lot A.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This criterion has been addressed in section E.5 of the ECA ACU analysis above.

Seattle Public Utilities has reviewed this proposal and assures water availability access for all parcels.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed subdivision is consistent with the relevant land use policies for residential single-family zones and meets the minimum provisions of the Seattle Land Use Code for SF 9600 zones. These policies and provisions are intended to provide opportunities for the creation of additional housing units within the City while protecting existing neighborhood character, the natural environment, and the public health and safety. Thus, the public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas- steep slopes;*

These issues have been addressed under the overall ECA ACU analysis above.

6. *Is designed to maximize the retention of existing trees;*

This criterion has been analyzed and addressed in Section E.4 of the ECA ACU analysis above.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This criterion is not applicable to this short subdivision.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

(following ECA ACU conditions)

ANALYSIS - SEPA

The proposal site contains the following types of *Environmentally Critical Areas*: *steep slope, and new potential slide*, thus environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

SMC 25.05.908 requires that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's *Environmentally Critical Areas (ECA)* regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the *ECA* regulations. This review includes identifying additional mitigation measures needed to protect the *ECA* in order to achieve consistency with SEPA and other applicable environmental laws.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist, geotechnical report, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. As indicated in the checklist, this action will not result in adverse impacts to the environment. The analysis and conditioning of the project pursuant to the ECA ACU authority and the short plat authority have identified and required adequate mitigation of all identified likely adverse impacts. No further mitigation of this proposal under SEPA is warranted.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2) (C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS – SEPA

None.

**CONDITIONS - ECA CONDITIONAL USE TO RECOVER DEVELOPMENT
CREDIT AND PERMIT CLUSTERED DEVELOPMENT**

Conditions of Approval Prior to Issuance of a Master Use Permit

1. A revegetation plan shall be prepared by a qualified professional that shows, on a site plan, the location, size and species of the trees that have been cut, and propose an acceptable revegetation plan to restore and/or replace lost habitat values. The plan shall be subject to review and approval by DPD.
2. Revise plat to include a sidesewer easement "along the line as constructed" to the benefit of Proposed Parcel A where this utility crosses through proposed Parcel B.
3. Add to the face of the plat the following note: "New development will likely require detention, and the water detained will likely need to be pumped uphill to an approved discharge point."

Non-Appealable ECA Requirements of Approval Prior to Issuance of a Master Use Permit

1. Record a covenant that shows the location of permanent ECA markers and provides for their maintenance by the property owners or other responsible parties. The covenant shall be in the form given to the applicant by DPD.
2. Permanent visible markers must be placed along the edge of the nondisturbance area as approved on the site plan. The markers shall be either reinforcing steel or metal pipe driven securely into the ground with a brass cap affixed to the top similar to survey monuments. The brass cap shall be visible at the ground surface and indicate the purpose of the marker. Markers shall be placed at all points along the edge of the nondisturbance line where the line changes direction. Markers must be in place before issuance of this Master Use permit.

CONDITIONS – SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Submit the final recording forms for approval and any necessary fees.
2. Add the following note to the first page of the plat: "New development will likely require detention, and the water detained will likely need to be pumped uphill to an approved discharge point."

Prior to Issuance of any building permit on Parcel B

1. All conditions set by the Fire Department must be satisfied.

Signature: (signature on file)
Paul Janos, Land Use Planner
Department of Planning and Development

Date: September 4, 2006

PMJ:ga

Janos/doc/decisions other than platting/2503500 ECA ACU SEPA short plat/2503500 janos.doc